

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

Finisar Corporation, a Delaware corporation,)	
)	
Plaintiff,)	Cause No. 1:05-cv-0264
)	
v.)	
)	
The DIRECTV Group, Inc., a Delaware)	
Corporation; DIRECTV Holdings, LLC, a)	Judge Ron Clark
Delaware Limited Liability Company;)	
DIRECTV Enterprises, LLC, a Delaware)	
Limited Liability Company; DIRECTV)	
Operations, LLC, a California Limited Liability)	JURY TRIAL DEMANDED
Company; DIRECTV, Inc., a California)	
Corporation; and Hughes Network Systems,)	
Inc., a Delaware Corporation,)	
)	
Defendants.)	
)	
)	

**MOTION TO EXPEDITE CONSIDERATION OF PLAINTIFF FINISAR
CORPORATION'S MOTION TO STRIKE PRIOR ART REFERENCES CONSIDERED
AND RELIED UPON BY THE DIRECTV GROUP, ET AL. TECHNICAL EXPERTS,
GARY S. TJADEN AND CHARLES J. NEUHAUSER, FOR FAILURE TO PRODUCE
AND FAILURE TO COMPLY WITH PATENT RULE 3-3**

Finisar hereby moves the Court to expedite its consideration of Finisar's Motion to Strike Prior Art References Considered and Relied Upon by the DIRECTV Group, et al. Technical Experts, Gary S. Tjaden and Charles J. Neuhauser, For Failure to Produce and Failure to Comply with Patent Rule 3-3. Expedited consideration is necessary because the new or not produced references relied upon by DIRECTV must be responded to by Finisar by next Wednesday. Therefore, Finisar intends, and has informed DIRECTV of its intent, to contact the Court today, March 14, 2006. Finisar respectfully asks that the Court resolve the issues presented in Finisar's motion to strike at that time.

DATED this 14th day of March, 2006.

GERMER GERTZ, L.L.P.

550 Fannin, Suite 500
Beaumont, Texas 77701
(409) 654-6700 - Telephone
(409) 838-4050 - Telecopier

Lawrence Louis Germer
Attorney in Charge
State Bar No. 07824000
e-mail: llgermer@germer.com

H. Craig Hall
State Bar No. 24012768
e-mail: hchall@germer.com

WORKMAN NYDEGGER

1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
(801) 533-9800 - Telephone
(801) 321-1707 - Facsimile

By: /s/ Kirk R. Harris
Larry R. Laycock (Utah Bar No. A4868)
e-mail: llaycock@wnlaw.com
David R. Wright (Utah Bar No. A5164)
e-mail: dwright@wnlaw.com
Charles L. Roberts (Utah Bar No. 5137)
e-mail: croberts@wnlaw.com
Eric Maschoff (Utah Bar No. A6608)
e-mail: emaschoff@wnlaw.com
C.J. Veverka (Utah Bar No. A7110)
e-mail: cieverka@wnlaw.com
Kirk R. Harris (Utah Bar No. 10221)
e-mail: kharris@wnlaw.com

Attorneys for Plaintiff FINISAR CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that on March 14, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

HEARTFIELD & McGINNIS, LLP

J. Thad Heartfield, Jr. (thad@heartfieldmcginnis.com)

HEARTFIELD & MCGINNIS

2195 Dowlen Road

Beaumont, Texas 77706

JONES DAY

Marsha E. Mullin (memullin@jonesday.com)

JONES DAY

555 West Fifth Street, Suite 4600

Los Angeles, CA 90013-1025

Michael J. Newton, Esq. (mnewton@jonesday.com)

Jones Day

2727 North Harwood Street

Dallas, Texas 75201-1515

/s/ Kirk R. Harris